



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

January 28, 1998

Ms. Lisa Ortiz Aguilar
Assistant City Attorney
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR98-0270

Dear Ms. Aguilar:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 112744.

The City of Corpus Christi (the "city") received a request for all documents relating to the city's acquisition of new water supplies including information about the Lake Texana Pipeline Project. You state that you have provided the requestor with access to all responsive documents in the city's possession. The Port of Corpus Christi Authority (the "port") has other documents that are responsive to the request. You contend that the city is not required to obtain these documents from the port on the requestor's behalf, but rather that the requestor must direct his request for these documents to the port. We agree.

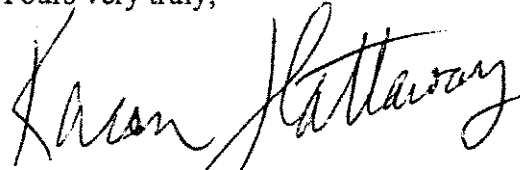
The city and the port are distinct governmental entities. As a general rule, the Open Records Act does not require a governmental body to obtain information from another entity, so long as the entity does not hold the information on behalf of the governmental body. Open Records Decision Nos. 558 (1990), 534 (1989), 518 (1989). The Open Records Act applies only to

information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business; (1) by a governmental body; or (2) for a governmental body and the governmental body owns the information or has a right of access to it.

Gov't Code § 552.002. Based on the facts you have presented, we do not believe that the port maintains the documents at issue for the city. Thus, the city has no duty to obtain the documents from the port. We find that the requestor should present his request for these documents directly to the port.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Karen Hattaway", written in a cursive style.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 112744

cc: Mr. Neal Trolinger
Corpus Christi Taxpayers Association, Inc.
P.O. Box 8852
Corpus Christi, Texas 78412